

REMARKS

The following items are being filed in response to the Office Action mailed April 9, 2003 in conjunction with application serial number 09/852,420:

- 1) a terminal disclaimer; and
- 2) a statement indicating that the present application and the reference cited by the Examiner were, at the time of the invention, commonly owned.

The Examiner provisionally rejected claims 1-12 and 22 under the doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 and 15-16 of co-pending Application No. 09/800,048. The Examiner also rejected claims 1-12 and 22 under 35 U.S.C. § 103(a) as being obvious over Cadet et al. (Published Patent Application 2002/0121140 A1).

The submission of the terminal disclaimer will render the obviousness-type double patenting rejection moot. The filing of the statement indicating the present application and the reference cited by the Examiner were, at the time of the invention, commonly owned will overcome the rejection made pursuant to 35 U.S.C. § 103(a).

There are no other rejections.

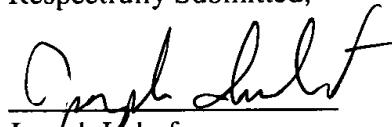
CONCLUSION

Claims 1-12 and 22 are currently in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. If any issues remain that preclude issuance of this application, the Examiner is urged to contact the undersigned attorney.

Respectfully Submitted,

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Date


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